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6 Attorneys for Defendants
7 GENERAL ELECTRIC COMPANY, GE
HEALTHCARE INC. and GE HEALTHCARE
BIO-SCIENCES CORP.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

PETER JAY GERBER and MIRIAM GOLDBERG,	CASE NO. CV-07-5918-JSW
Plaintiffs,	STIPULATION AND ORDER EXTENDING TIME FOR DEFENDANT MCKESSON CORPORATION TO ANSWER THE COMPLAINT
v.	[Jury Trial Demanded]
BAYER CORPORATION AND BAYER HEALTHCARE PHARMACEUTICALS, INC.; BMC DIAGNOSTICS, INC.; CALIFORNIA PACIFIC MEDICAL CENTER; GENERAL ELECTRIC COMPANY; GE HEALTHCARE, INC.; GE HEALTHCARE BIO-SCIENCES CORP.; McKesson CORPORATION; MERRY X-RAY CHEMICAL CORP.; and DOES 1 through 35	(San Francisco County Superior Court Case No. CGC07468577)
Defendants.	

STIPULATION

5 WHEREAS, defendant McKesson Corporation ("McKesson") has been served with
6 the complaint in this action;

7 WHEREAS, McKesson recently tendered defense of this case to defendant GE
8 Healthcare Inc. ("GEHC");

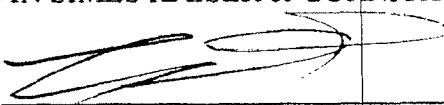
1 WHEREAS, counsel for GEHC in this action became aware of this tender on
 2 January 14, 2008;

3 WHEREAS, GEHC is in the process of diligently evaluating the tender, and in the
 4 interim seeks to avoid any prejudice to GEHC and/or to McKesson from any delay in
 5 McKesson answering the complaint;

6 NOW THEREFORE, IT IS HEREBY STIPULATED, subject to Court approval,
 7 that McKesson shall have until January 31, 2008 to answer the complaint on file in this
 8 action.

9 Dated: January 16, 2008

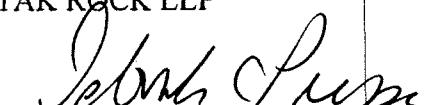
LEVIN SIMES KAISER & GORNICK LLP

10 By: 

11 Lawrence J. Gornick, Esq.
 12 Debra DeCarli, Esq.
 13 Attorneys for Plaintiff

14 Dated: January 16, 2008

KUTAK ROCK LLP

15 By: 

16 Deborah C. Prosser, Esq.
 17 Stephanie A. Hingle, Esq.
 18 Attorneys for Defendant
 19 GE HEALTHCARE INC.

20 ORDER

21 Good cause appearing therefore, based upon the foregoing Stipulation, defendant
 22 McKesson Corporation is granted until on or before January 31, 2008 to answer the
 23 complaint on file in this action.

24 Dated: January 18, 2008


 25 JUDGE JEFFREY S. WHITE